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HIGH COURT OF CHHATTISGARH, BILASPUR**MAC No. 621 of 2016**

1. The Branch Manager, The New India Insurance Company Ltd. The New India Insurance Company Ltd. Above Dena Bank, Nandini Road, Power House, Bhilai, Tahsil & District Durg, Chhattisgarh (Truck No. C.G.-07-Z C-0921)(Insurer)

---- Appellant**Versus**

1. Smt. Sandhiya Bute W/o Late Shri Pradeep Kumar Bute, Aged About 40 Years R/o Lig 118, Amdi Nagar, Hudco, P. S. Bhilai Nagar, Tahsil & District Durg (Chhattisgarh)
2. Jivesh Kumar Bute, S/o Late Shri Pradeep Kumar Bute, Aged About 16 Years Through Natural Guardian Mother Sandhiya Bute, R/o Lig 118, Amdi Nagar Hudco, P. S. Bhilai Nagar, Tahsil & District Durg (Chhattisgarh)
3. Ku. Mansi Bute, D/o Late Shri Pradeep Kumar Bute, Aged About 14 Years Through Natural Guardian Mother Sandhiya Bute, R/o Lig 118, Amdi Nagar Hudco, P. S. Bhilai Nagar, Tahsil & District Durg (Chhattisgarh)
4. Smt. Nirmala Bute, W/o Late Shri N. S. Bute, Aged About 63 Years R/o L I G 118, Amdi Nagar Hudco, P. S. Bhilai Nagar, Tahsil & District Durg (Chhattisgarh)(Claimants)
5. Ratan Das S/o S. N. Bairagi, Aged About 41 Years Sant Ashram, Bapu Nagar Bhilai Nagar, P. S. Khursipar, Tahsil & District Durg, Chhattisgarh (Truck No. C.G.-07-Z C-0921)(Driver)
6. Vinod Kumar Mahto, S/o Shri Ram Ji Mahto, Aged About 42 Years Near Hanuman Mandir, A.C.C. Chowk, Rajiv Nagar, P. S. Jamul, Tahsil & District Durg, Chhattisgarh (Truck No. C.G.-07-Z C-0921)(Owner)

---- Respondents

For Appellant	:	Shri Raj Awasthi, Advocate.
For Respondents 1 to 4	:	Shri C.K. Sahu, Advocate.

Hon'ble Shri Justice Pritinker Diwaker**Order On Board****19/08/2016**

Counsel for the appellant submits that subsequent to filing of this appeal, the Tribunal has passed fresh award on 26.07.2016 correcting the calculation mistake and, therefore, the appellant may be permitted to

withdraw this appeal with liberty to challenge the subsequent award. He further submits that Registry may be directed to return original copy of Annexure A-3 after accepting photostat copy of the same.

Counsel appearing for respondents 1 to 4 has no objection.

Accordingly, the appeal is dismissed as withdrawn reserving aforesaid liberty.

Registry to return the original copy of Annexure A-3 after accepting photostat copy of the same.

Sd/-

(Pritinker Diwaker)
JUDGE